TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE Transcriber's Office FLOOR DEBATE

March 26, 2002 LB 1040

for us, meaning the Legislature, to determine that for reasons that the county attorneys have...have no complicity that they are going to be, in effect, punished for not...for the...for their services rendered in these matters. I think that...that we need to have a different approach. I think we have to do one of two things. Either we need to restructure the way in which ALR proceedings take place, or we need to change our statute regarding the responsibilities of the county attorney, the responsibilities of the Attorney General, and if we want to spend the amount of money that the Attorney General says it's going to coat I think we should ... we should decide that we're willing to accept that, which I think is...is unreasonable and unnecessary. So I respectfully decline the...to support the motion of Senator Brashear and I think that we need to get this behind us. I think we need to go forward. We had this...virtually this same argument last year and I think that this...this behooves us, as a Legislature, to come up with a conclusion, perhaps it's through the Judiciary Committee, but in any event I think we need to consider how to approach this matter and I think that we would be making a tactical mistake on the part of the Legislature to unduly punish people who have performed services for the state which they were required to do. So, for that reason, I would oppose the amendment of Senator Brashear. Thank you.

SPEAKER KRISTENSEN: Senator Vrtiska.

SENATOR VRTISKA: Thank you, Mr. Speaker, and I just want to indicate that I want to support Brashear's amendment simply because I think that it's the right thing to do. I didn't vote for this out of committee for the very reason we're discussing it this morning. And I don't have a problem with attorneys being paid for the services rendered, but I think this is a case where they're being overpaid for the services rendered. So I will support the amendment and let it go to Select File and determine what to do then. With that, I'll turn the rest of my time back.

SPEAKER KRISTENSEN: Senator Brashear, you're recognized to close on your amendment.